

Remarks

The non-final Office Action dated September 18, 2007 indicated that: claims 2-6 are allowed; claim 1 would be allowable if rewritten to overcome an objection over an informality; the drawings stand objected to; the disclosure stands objected to; the abstract of the disclosure stands objected to; and claim 7 stands rejected under 35 U.S.C. 102(e) over Madsen *et al.* (U.S. Patent No. 6,952,174).

Claim 1 has been amended to remove the terms in the preamble that were subject to objection in the Office Action. Based upon the indication in the Office Action and the above amendment, Applicant believes that claim 1 should be allowable.

The drawings have been amended to include labels “integrator” and “edge-extractor” respectively for blocks N and E in figures 1 and 3, as requested in the Office Action. Applicant notes that these blocks N and E are described in the specification (*see, e.g.*, paragraphs 0026-0027) such that the figures should have been clear. In this regard, amendments to these figures are made in an effort to facilitate prosecution.

Applicant submits that the objection to the specification in regard to specific layout and section headings is improper, and respectfully declines to make the suggested amendments. The suggested layout and sections are not statutorily required under 35 USC 111(a), but per 37 CFR 1.51(d) are only guidelines that are suggested for Applicant's use. They are not mandatory, and in fact when Rule 77 was amended in 1996 (61 FR 42790, Aug. 19, 1996), Bruce A. Lehman, Assistant Secretary of Commerce and Commissioner of Patents and Trademarks, stated in the Official Gazette:

Section 1.77 is permissive rather than mandatory. ... 1.77 merely expresses the Office's preference for the arrangement of the application elements. The Office may advise an applicant that the application does not comply with the format set forth in 1.77, and suggest this format for the applicant's consideration; however, the Office will not require any application to comply with the format set forth in 1.77.

In view of the above, Applicant elects not to amend the specification to change the layout and/or include section headings, instead maintaining consistency with the parent application. Applicant requests that the objection be removed.

Applicant submits that the objection to the Abstract as not being on a single sheet is improper because the instant application is a national stage application filed under 35 U.S.C. 371 and the suggested format is not required. Specifically, as is consistent with

M.P.E.P. §608.01(b), the abstract in national stage applications “may be found on the front page of the Patent Cooperation Treaty publication (i.e., pamphlet).” In this regard, Applicant submits that the Abstract is appropriate in its current form and requests that the objection be removed.

Applicant respectfully traverses the Section 102 rejection of claim 7 over the Madsen reference because Madsen does not disclose the claim limitations as suggested in the Office Action. In short, Madsen’s general approach to clock cycle reduction for a serial data interface circuit has nothing to do with the claimed invention’s approach involving the number of clock periods used for an edge in a digital stream as relative to the total clock number of periods for the digital stream. Specifically, claim 7 is directed to limitations including a signal track in one-bit digital stream format where the number of clock periods that make up an edge is less than 40% of the total number of clock periods for the entire digital stream. This relationship between edge and total clock periods is useful, for example, to mitigate intersymbol interference as is consistent with the discussion at paragraphs 0015-0016 in the instant specification. The cited portions of Madsen have nothing to do with the control of a digital stream in this manner, and instead appear generally related to overall cycle reduction to reduce current consumption (*see, e.g.*, Madsen’s Summary at column 2 and the portions of Madsen cited in the Office Action at column 3:25-28 and 8:18-27). Madsen’s reduction in cycles as cited at column 8 and in table 4 is relative to prior approaches and does not disclose any relative reduction for an edge as claimed in the instant invention. In this regard, Applicant submits that the Section 102 rejection is improper and requests that it be removed.

In view of the above, Applicant believes that the application is in condition for allowance. Should there be any remaining issues that could be readily addressed over the telephone, the Examiner is asked to contact the agent overseeing the application file, Peter Zawilski, of NXP Corporation at (408) 474-9063 (or the undersigned).

Please direct all correspondence to:

Corporate Patent Counsel
NXP Intellectual Property & Standards
1109 McKay Drive; Mail Stop SJ41
San Jose, CA 95131

CUSTOMER NO. 65913

By: 

Name: Robert J. Crawford

Reg. No.: 32,122

651-686-6633

(NXPS.359PA)